



# OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

DAN DOW  
District Attorney

July 29, 2019

ERIC J. DOBROTH  
Assistant District Attorney

JERRET C. GRAN  
Chief Deputy District Attorney

SHERYL M. WOLCOTT  
Chief Deputy District Attorney

TERRY O'FARRELL  
Chief, Bureau of Investigation

Mr. Dan Rubins  
MuckRock News  
DEPT MR 76596  
411A Highland Ave  
Somerville, MA 02144-2516  
Email: [76596-60579775@requests.muckrock.com](mailto:76596-60579775@requests.muckrock.com)

Dear Mr. Rubins

We are in receipt of your Public Record Act Request dated July 4, 2019, and received by our office on July 5, 2019. (Enclosed).


You request a copy of our *Brady* or similarly compiled list pursuant to Penal Code section 832.7(b)(1)(c): specifically "Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence", spanning the last 10 years or the time period under our agency's record retention schedule.

While our office does maintain a *Brady* list, we do not maintain a record as to whether the concerns that resulted in individuals being placed on the list resulted in a "sustained" by the relevant agency. As such, we are not providing a copy of our *Brady* list. The relevant employing agency should be consulted to determine which employees, if any, received sustained findings of dishonesty.

One former San Luis Obispo County District Attorney Employee, Senior District Attorney Investigator August Santana, received a sustained finding of dishonesty and was terminated in 2015. October 17, 2014, Mr. Santana was placed on administrative leave pending an investigation into allegations that he had perjured himself on an Affidavit for Search Warrant. The investigation resulted in a sustained finding of dishonesty. February 13, 2015, Mr. Santana's employment with the District Attorney's Office was terminated. December 17, 2014, the investigation was referred to the California State Attorney General for potential criminal filing. The Attorney General charged Mr. Santana with one felony count of perjury. April 8, 2016, Mr. Santana was acquitted of that charge by a San Luis Obispo County jury in Superior Court case number 15F-06421. I am informed that Mr. Santana has not resumed employment in law enforcement.

Thank you for your interest in this very important area.

By: \_\_\_\_\_



Eric J. Dobroth

Assistant District Attorney

County of San Luis Obispo